

1 PETER B. BUNTING #124104
2 Attorney at Law
2501 West Shaw Ave., Suite 119
3 Fresno, CA 93711
3 Telephone: (559) 226-4030
4 Facsimile: (559) 226-4148
4 e-mail: pbpc3@sbcglobal.net

5 Attorney for Debtor RUIZ

6 UNITED STATES BANKRUPTCY COURT
7 EASTERN DISTRICT OF CALIFORNIA, FRESNO

8 In re:
9 HECTOR RUIZ,

Case No. 13-15408A-13F
Chapter 13
D.C. No. PBB-1

10 **HEARING**

11 Date: November 7, 2013
11 Time: 9:00 a.m.
12 Dept A
12 Ctrm: 11 (5th Floor)
13 United States Bankruptcy Court
2500 Tulare Street
13 Fresno, California 93721-1318

14 [HONORABLE FREDRICK E. CLEMENT]

15 Debtor. /

16 **DECLARATION OF PETER B. BUNTING IN SUPPORT OF**
17 **MOTION TO CONFIRM FIRST MODIFIED CHAPTER 13 PLAN**

18 I, Peter B. Bunting, declare:

19 1. Except as to those matters I have alleged on information and belief, I have personal
20 knowledge of the facts contained herein and, if called upon, could competently testify thereto.
21 As to matters alleged on information and belief, I believe them to be true.

22 2. I am an attorney licensed to practice before the Courts of the State of California and
23 admitted to practice before the above-captioned Court. I am the attorney for the Debtor in the
24 above-entitled petition filed pursuant to Chapter 13 of Title Eleven of the United States Code.

25 3. I drafted the First Modified Chapter 13 Plan to which this declaration refers. It was
26 prepared under my supervision by my assistant. I am familiar with the contents thereof.

27 4. The petition, schedules, statements and a plan were filed on August 9, 2013. The
28 original plan was withdrawn on September 24, 2013.

1 5. This modified Plan corrects information omitted from Debtor's original Plan. There
2 are no other changes

3 6. In reviewing the claims filed in this case, my assistant and I have identified all
4 claims filed to date and have listed them according to class.

5 7. The First Modified Plan provides for the same treatment of each claim according to
6 class.

7 8. I am informed and believe that the proposed First Modified Plan complies with Title
8 Eleven of the United States Code.

9 9. On behalf of the Debtor, I have paid the filing fee required for this Chapter 13 case.
10 There are no additional fees to be paid under Chapter 123 of Title 28 of the United State Code.

11 10. Based on the Debtor's disclosed assets and debts, which I believe to be true, I
12 calculate that there would not be any money available for disbursement to unsecured creditors if
13 this case were converted to a case under Chapter 7. The proposed First Modified Chapter 13
14 Plan provides for zero percent payment to unsecured creditors and on that basis, I represent that
15 said proposed plan satisfies the liquidation analysis of 11 U.S.C. §1325(a)(4).

16 11. The First Modified Plan provides for payment of all known secured creditors.

17 12. The First Modified Plan proposes payments of \$265.00 per month for 48 months
18 and unsecured creditors will receive zero percent. The amount of disposable income available
19 under Line 20c of Schedule J reflects that my client has \$265.58 available to pay to his Plan.

20 I declare under penalty of perjury that the foregoing is true and correct under the law of
21 the United States of America.

22 Dated: 9-24-13


Peter B. Bunting
Attorney for Debtors